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Utah Advisory Council on Intergovernmental Relations

*Ken Bassett, Chair
Commissioner Patrick Cone, First Vice Chair
Senator Millie Peterson, Second Vice Chair*

*Mark Bedel, Executive Director
John Bennett, Assistant Director
Sylvia Haro, Executive Secretary*

MINUTES

February 9, 2001

4:00 p.m.

State Office Building Room 4110, Salt Lake City

Members Present:

Mayor Janice Auger, Taylorsville
Ken Bassett, Vernal City
Representative Chad Bennion
Dick Bradford, DCED
Palmer DePaulis, Tax Commission
Linda Hamilton, City of South Ogden
Ann Wilcox Hardy, Citizen Appointee
Robert Haywood, Dept. of Human Services
Mike Medley, Dept. of Commerce
Linda Ogden, School Board Appointee
Commissioner Carol Page, Davis County
James Whitaker, Dept. of Workforce Services

Staff:

Mark Bedel, GOPB
John Bennett, GOPB
Sylvia Haro, GOPB

Excused/Absent:

Mayor Chesley Christensen, Mt. Pleasant City
Representative Jackie Biskupski
Commissioner Patrick Cone, Summit County
Representative Margaret Dayton
Senator Peter Knudson
John Quick, Department of Transportation
Senator Millie Peterson

I. Welcome and Introductions

Mr. Ken Bassett, UACIR chair, called the meeting to order at 4:08 p.m. Chairman Bassett welcomed all those in attendance.

II. Approval of Minutes

Due to the lack of a quorum, minutes from meetings held on December 11, 2000, and January 12, 2001 were not approved.

III. Role of UACIR Regarding Legislation

Chairman Bassett indicated he would like to clarify the role of UACIR. Chairman Bassett asked Mark Bedel to report on the legislative history of UACIR.

Mark Bedel, UACIR Executive Director, distributed a summary of the UACIR Retreat held on June 18, 1999. A mission statement was developed at the time and later adopted. It follows:

"The Utah Advisory Council on Intergovernmental Relations (UACIR) serves as a forum for the discussion and recommendation of intergovernmental issues affecting the partnership of

federal, state and local governments of Utah.”

Mr. Bedel stated that the statutory role of UACIR is to study legislation, draft proposed legislation, and advise the legislature on Intergovernmental Relations. This past year, UACIR focused on three main issue areas, at the request of the Governor they undertook a study of remote sales on local government revenue, they also studied the annexation issue, and towing issues. Bills were drafted on all three of these issues. The Council also assisted the Quality Growth Commission in awarding planning grants to local governments. In prior years, the Council also reviewed many of the bills that affected intergovernmental relations.

Chairman Bassett recalled that the Council had previously discussed whether or not the Council would take positions on bills. He would like to get consensus on the issue. Commissioner Carol Page stated that she supported UACIR taking positions on bills. Robert Haywood indicated that technically the Department Heads can not lobby. However, we could advise the legislature on how a piece of legislation might affect our organization. As an advisory council it can make recommendations, but it has to be by action through a motion that is adopted by the council, otherwise it is considered individual lobbying. Ann Wilcox Hardy said that it would be necessary for the Council come to a total consensus in order to support or not support a specific bill. Mr. Bedel stated that according to UACIR's by-laws, a motion would pass by a majority vote. Linda Ogden indicated that if an issue was not supported by the entire group, the Council should not take a position on the matter, but that each case should be looked at on case-by-case basis.

Palmer DePaulis recalled a time when UACIR was taking a more active role. However, it created some stir and was told to reevaluate its role. Commissioner Page indicated that this issue had been discussed many times in the past. Mayor Janice Auger stated there could be times when the Council could take a position with which individuals on the Council would disagree. She said that if the Council was to take a position opposed to the position of the city she represents she would need to, as the spokesperson for that city, disagree with the Council's position. Mr. Bedel stated that the Council should only take positions on issues its members recommend and support as a whole. On issues where the Council cannot gain consensus, it should serve as a forum for seeking resolution, gather information, study the issues and pass on information to the legislature.

Further discussion and a review of the UACIR statute and by-laws will be scheduled for a future meeting when a quorum can be present.

IV. Legislative Bills for 2001 Session

Mark Bedel referred to a handout "Legislative Report to UACIR" dated February 9, 2001. John Bennett reported on the following bills:

HB 30 Vehicle Towing and Reporting Requirements, sponsored by Rep. James Gowans, has passed the House and is now in the Senate. This bill has the support of the UACIR and the Transportation Interim Committee. It also has the support of the Division of Motor Carriers, the Utah Highway Patrol and the local police and sheriffs, the State Tax Commission, the Department of Motor Vehicles, and the Utah Towing Association.

HB 164 Vehicle Impound Amendments, sponsored by Rep. Chad Bennion, has been introduced to the House. This bill addresses issues that were not in HB 30. Some of the issues this bill addresses are; creation of a certification program, restitution to victims of auto theft, property rights to condominiums, vehicles on ground that have no tags, mail notification to last registered owner, delivery vehicles on loading zones. This bill does not conflict with HB 30. Rep. Bennion asked for any comments related to the amended bill be addressed to him.

HB 86 Government Revenue and Tax System Task Force, sponsored by Rep. Chad Bennion. Creates a 15 member government revenue and tax system review task force made up of legislators. Stakeholders would serve on subcommittees. Rep. Bennion reported that it had passed the House and that it was the Senate. There were some slight modifications by the House. The correct appropriation amount was \$120,000.

Chairman Bassett indicated that Dave Spatafore of the League of Cities and Towns had some concerns on HB 86. Ms. Hardy suggested getting clarification from Dave Spatafore on ULCT's position on this bill. Mayor Auger recalled a statement at the December UACIR meeting, where Bob Linnell of the Governor's Office indicated he strongly recommended having stakeholders serving on the Task Force. Mayor Auger indicated she also supported having stakeholders serve on the Task Force, and that she believed, based on discussions of the December meeting, that the consensus were of having stakeholders serving on the Task Force. Linda Ogden expressed opposition to Rep. Bennion's bill in its present form. Mark Bedel indicated that the Council had voted in December to support Rep. Bennion's bill. Mark also said his understanding was that UACIR clearly supported the **concept** of a task force and that he didn't believe at that time the Council members expected a competing bill by another member of the council. There were very strong concerns raised but he believes everyone stood behind the concept of creating a task force to study tax issues. Circumstances have changed since a vote was taken.

Concerns were expressed over the composition of HB 86 by several members of the UACIR, and several asked staff what the actual motion was which was approved at the December, 2000 meeting.

Rep. Bennion reported that he received a letter from ULCT with their proposed composition of the Task Force. They recommended having three Representatives, three Senators, three from the Governor's Office, three from the League of Cities and Towns, one from Education, one from Utah Association of Counties, one from Special Districts, and two from the business community.

Ann Wilcox Hardy suggested that having stakeholders serving on the Task Force would not make a difference because stakeholders could testify and also serve on the subcommittees. Commissioner Page stated that she didn't believe there would be appropriate time allowed for stakeholders to testify, and would like to get assurance that everyone affected will have plenty of opportunity to express their concerns and interests. Ms. Hardy asked for input from Tax Review Commission on this issue since they deal with tax issues on a daily basis. Palmer DePaulis stated that either bill would allow input, it would just be expressed in a different fashion. One bill with the legislators as the oversight body would get input through the subcommittees. The other bill would have the stakeholders as part of the task force and would also allow input directly.

Due to lack of a quorum no action could be taken on the bills discussed.

IV. Administrative Matters

Staff was asked to review UACIR bylaws to see what changes would need to be made if the Council decided it wanted to change the number of members required for a quorum. It was suggested for to allow for a quorum to be less than 12 members when there are vacancies on the council so that the actual membership is not 24 or 25 members. Staff agreed to review the by laws. This discussion of the by-laws will be placed on the next agenda.

Mr. Bedel indicated we are still awaiting appointments from the governor and the Speaker of the House.

Ms. Hardy suggested meeting more frequently during the Legislative Session to discuss bills that impact the various agencies and to allow opportunity for more input from UACIR. Chairman Bassett suggested that they consider meeting more frequently during the next session as this session is nearly over. Sylvia Haro mentioned that many of the members were legislators and meeting more frequently during the Legislative session could create a conflict in schedules with those members. Mr. Bedel commented that staff for UACIR is limited, and the time it can devote to UACIR is also limited since the same staff also assists many other boards, and commissions. Mayor Auger suggested using technology to communicate in between meetings, such as having a site on the Internet for UACIR members to review legislation and give comments and vote electronically. Ms. Haro suggested creating an secured site (password protected) for UACIR where only members could view information and also exchange information.

Mr. Bedel stated that UACIR has been very successful this past year considering the legislation that has resulted from the Council's efforts.

Commissioner Page indicated that at the June, 1999, Jordanelle retreat there was discussion about marketing our group, doing public relations to let others know we exist. She believes UACIR has taken a big step forward this past year in doing that.

Chairman Bassett reiterated the fact that UACIR has had great accomplishments this past year.

The Chairman asked that these items be included on the agenda for next month's meeting:

- 1) What are we going to be doing during the next 12 months?**
- 2) Review UACIR bylaws relating to members needed for a quorum.**

Ms. Haro asked for members to notify her as soon as possible if the date of the next meeting creates a scheduling conflict for any of the members. Linda Ogden responded that she will not be attending as she will be out of town. Carol Page said she will be late due to a schedule conflict.

V. Planning & LeRay McAllister Grant Status Report

Mark Bedel distributed a copy of the report of the Utah Quality Growth Commission and asked members to review all of the report, but specifically the Planning Grants, and the Critical Lands section of this report as UACIR had involvement with these two areas.

VIII. Next Meeting/Adjournment

DATE: Friday, March 23, 2001

TIME: 10:00 a.m.

PLACE: Room 223 - State Capitol
Salt Lake City

Meeting Adjourned at 5:15 p.m.

Minutes prepared by: Sylvia Haro

This and all other UACIR information is available on GOPB's web site

<http://governor.state.ut.us/uacir/>